IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 19106 of 1999

Between:

M/s. Hyderabad Hatcheries (P) Ltd, (presently known as M/s.Venkateswara Hatcharies Limited), Hyderabad
represented by its Director, M.P.Seshaiah.

..... PETITIONER

AND

1 Commercial Tax Officer, Narayanaguda Circle, Hyderabad
2 Appellate Deputy Commissioner (CT), Secundrabad Division Hyderabad.
3 Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.
4 Commissioner of Industries, Andhra Pradesh, Hyderabad.
5 Principal Secretary, Revenue Department, Secretariat, Andhra Pradesh, Hyderabad.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to hold that Section 33-C and Section 33-F of the APGST Act are unconstitutional and consequently issue a Writ of Certiorari after calling for the records and quash the general instructions dated 26.02.1998 issued by the third respondent and direct refund of Tax paid by the petitioner for the assessment years 1988-89 to 1992-93 together with interest immediately.

Counsel for the Petitioner: MR.SKRISHNA MURTHY

Counsel for the Respondents: GP FOR COMMERCIAL TAXES

The Court made the following:

O R D E R: (Per Hon'ble Sri Justice Bilal Nazki)

Learned counsel for the petitioner submitted that the writ petition has become infructuous.

Recording the submission made by the learned counsel for the petitioner, the Writ Petition is dismissed as infructuous. No order as to costs.

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BILAL NAZKI, J

Dated: 27.10.2004

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S.ANANDA REDDY, J

GJ

To

1 The Commercial Tax Officer, Narayanaguda Circle, Hyderabad
2 The Appellate Deputy Commissioner (CT), Secundrabad Division Hyderabad.
3 The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.
4 The Commissioner of Industries, Andhra Pradesh, Hyderabad.
5 The Principal Secretary, Revenue Department, Secretariat, Andhra Pradesh, Hyderabad.

6. 2CCs to Special GP for Commercial Taxes, High Court of A.P., Hyderabad. (OUT)

7. 2CD copies